

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AMBER REINECK HOUSE, ET AL.,

Plaintiffs,

v.

CITY OF HOWELL, MICHIGAN,  
ET AL.,

Defendants.

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Case No. 20-cv-10203

Paul D. Borman  
United States District Judge

Curtis Ivy, Jr.  
United States Magistrate Judge

**ORDER DENYING DEFENDANTS' MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL BRIEF REGARDING CROSS-MOTIONS FOR  
SUMMARY JUDGMENT TO ADDRESS NEW FACTUAL  
DEVELOPMENT (ECF No. 81)**

On July 25, 2022, Defendants filed a Motion for Leave to File Supplemental Brief Regarding Cross-Motions for Summary Judgment (ECF Nos. 44 and 48) to Address New Factual Development. (ECF No. 81.) Specifically, Defendants wish to argue that Plaintiff Courtney Atsalakis' June 21, 2022 sale of "304 S. Walnut to a third party . . . is a material additional fact in this case that raises new issues pertaining to this Court's subject matter jurisdiction over this matter, specifically relating to mootness and standing." (ECF No. 81, PageID 9070).

The Court finds that this Supplemental Brief would not materially change its analysis of the mootness and standing issues before it. For one thing, the record already establishes that Atsalakis, at the time of her deposition, was not sure whether she would attempt to open the Walnut House as a sober living home again and had

no specific plans to do so. (ECF No. 44-3, PageID 1304–06.) Therefore, the Court **DENIES** Defendants’ Motion.

Nothing in this Order prohibits Defendants from submitting further briefing on Atsalakis’ sale of the Walnut House when and if this case reaches the damages phase.

**IT IS SO ORDERED.**

s/Paul D. Borman

Paul D. Borman

Dated: July 26, 2022